



# Town Of East Hampton Community Preservation Fund

2019 Management and Stewardship Plan  
Draft as of 01/03/19

Department of Land Acquisition and Management  
Adopted: Resolution # 2019-

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## **Introduction**

In an effort to create greater efficiency, transparency and accountability, the Peconic Bay Region Community Preservation Fund (CPF) law has been amended to institute a series of fiscal oversight measures, ensuring that this successful program continues to meet its objectives. The whole of this document will constitute a Management and Stewardship (M&S) Plan. This Plan will deal with the management and stewardship of property acquired using Community Preservation Funds as they relate to proposed expenditures for calendar year 2019.

Up to 10% of CPF revenue can be used for M&S purposes. With input from the Town Board, the Department of Land Acquisition and Management, the Town Attorney's office, the CPF Advisory Board, and the general public, this document will act as a manual to help guide the use of allotted monies for the specified properties and tasks discussed below. For the calendar year 2019, our M&S Plan budget is \$682,949 which represents approximately 2.6% (based upon \$26,000,000) of the expected revenues for 2019.

By resolution 2011-317, the Town Board adopted Rules and Regulations for CPF Acquisition and Stewardship; please see resolution below.

WHEREAS, a Community Preservation Fund (CPF) Task Force was created by New York State Assemblyman Fred Thiele and State Senator Ken LaValle in 2010 to improve administration of the Community Preservation Fund; and

WHEREAS, the Task Force made a final report, and presented the report to the East End Supervisors and Mayors Association in December 2010, which included the establishment of rules and regulations to govern CPF acquisition and stewardship; and

WHEREAS, the Town Board has reviewed the proposed CPF Acquisition and Stewardship Rules and Regulations and finds that they add transparency, consistency and protection to the integrity of the CPF process;

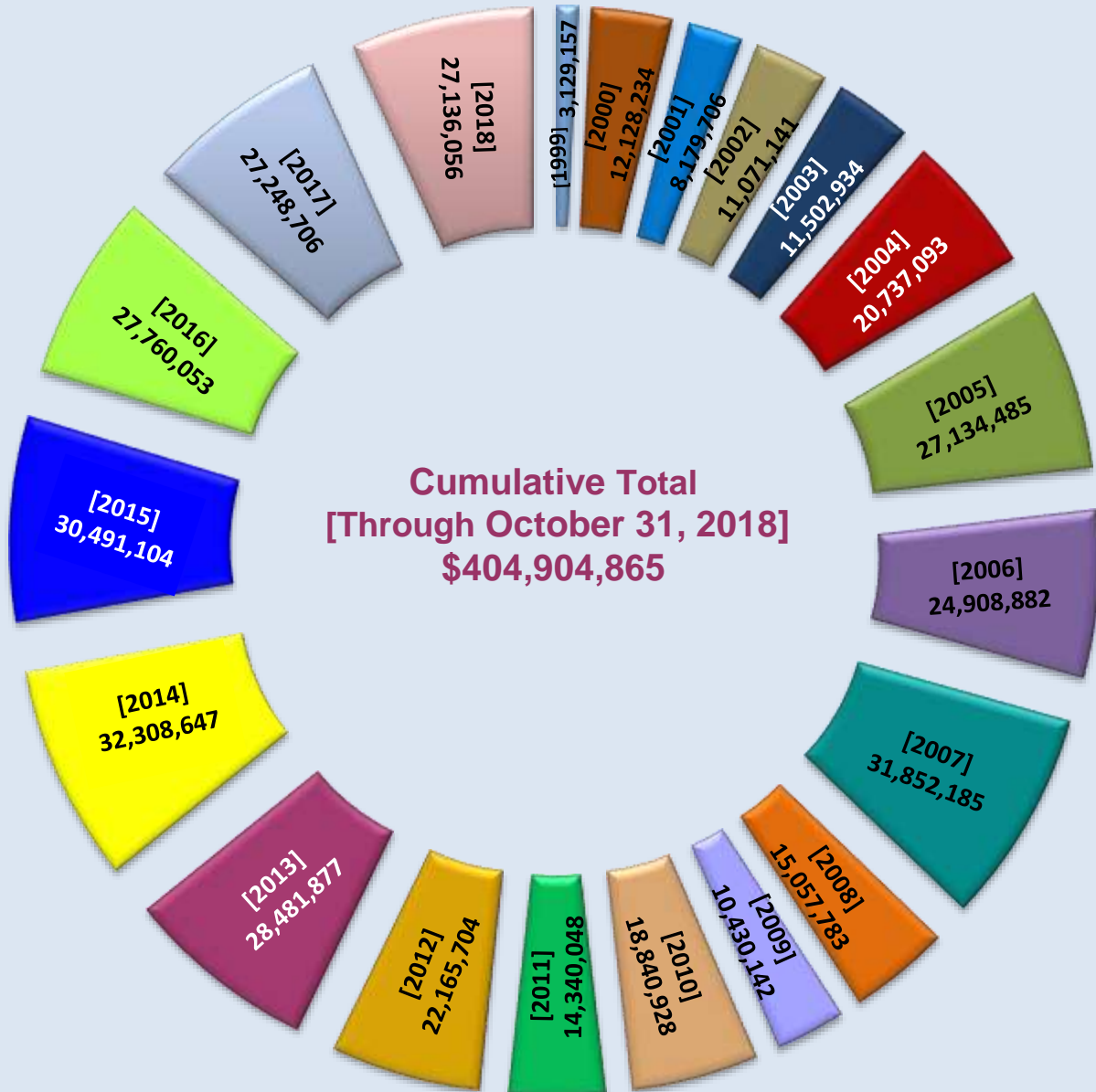
NOW THEREFORE, BE IT RESOLVED, that the Town Board of the Town of East Hampton hereby adopts the Community Preservation Fund Acquisition and Stewardship Rules and Regulations.

These Rules and Regulations (attached as schedule A) encompass the CPF law as it pertains to Management and Stewardship, as well as defining appropriate expenses and/or projects eligible for CPF M&S funding.

## CPF REVENUE BY YEAR

(Includes 2% Transfer Tax receipts, interest,  
co-op sales, donations and rental agreements)

October 31, 2018  
\*Subject to Audit



## **Overview**

The Community Preservation Fund (Peconic Bay Region 2% Transfer Tax, 64-e) was adopted in 1998 by a voter approved referendum, and began collecting revenue in 1999 for the specific purpose of preserving the Community Character on the East End of Long Island. In an ongoing effort to preserve our rural character, protect our native flora and fauna, safeguard our vulnerable groundwater supply, protect our surface waters and preserve our remaining farmland, the Town and incorporated Villages have been acquiring these assets through the purchase of fee title, the purchase of easements, the purchase of development rights, the acceptance of gifts, or a combination thereof.

To date, the Town of East Hampton has acquired interests or rights in real property on 393 parcels (some parcel tax map numbers may be combined post acquisition) and there are an additional 10 parcels in contract, which encompasses approximately 2158.7 acres. The CPF has generated approximately \$404,904,865 (please see chart above).

The 403 parcels (closed and in contract combined) will be broken down into seven main categories found within the M&S Plan, and simplified here as:

- Category 1: Historic Lands and Buildings
- Category 2: Parks and Recreation Properties
- Category 3: Open Space and Forestlands
- Category 4: Wetlands
- Category 5: Beaches and Shoreline
- Category 6: Farmland
- Category 7: Water Quality

Management and Stewardship for all parcels will be consistent with the resolutions that were passed to initiate these acquisitions. For example, if the purpose of acquisition is historic preservation, the M&S will consist of those steps necessary to further that purpose. However, M&S is not a static process, and therefore this M&S Plan is subject to modification as circumstances change due to new discoveries (e.g. encroachments or debris), on-site condition changes and the addition of properties to our roster of protected lands. Section 6 of the CPF Law allows for modification of this M&S Plan subject to public hearing and passage of an amending resolution.

Three primary goals for acquired properties are the creation of a baseline document, the creation of a management plan for each property or group of similar properties in similar geographic areas and regular monitoring of these properties.

### **Baseline Documentation**

This is a process of collecting physical data for each property at the time of acquisition, or as soon thereafter as practicable. This data can be used as a protection of the Town's rights and or obligations to that particular property. This data will include but not be limited to:

1. Aerial photos
2. Location maps



3. Tax Map
4. Full set of photo documentation taken along all boundaries of the property and other areas of interest
5. The parcel deed and recording documents
6. Title
7. Survey
8. Notes describing the physical condition of the property
9. Invasive species assessment

The completed baseline becomes an invaluable tool for consistency in monitoring a given property for encroachment, poaching of shrubbery, proper signage, proliferation of invasives, etc. It provides a clear history of any significant change from the time of acquisition.

### Management Plan

After a baseline document is completed, a management plan can be formulated (often in consultation with the Nature Preserve Committee) specific to the individual property. A management plan is a guide that includes a number of elements including but not limited to:

1. Description and history of the property
2. Identification of flora and fauna (invasive or otherwise)
3. Existing and proposed uses
4. Specific management actions (clearing, mowing, meadow restoration, etc.)
5. Time frame for actions
6. Appropriate signage
7. Trail creation or closure
8. Access (e.g. parking area, trail locations)
9. Maintenance responsibilities
10. Restrictions

This information is compiled and presented in a straightforward, easy to follow and user friendly document. Since people are an integral part of any ecosystem and our activities often dominate all other impacts, the management plan may also help define future site uses including peripheral parking areas, kiosks, trail location and maintenance, or more active uses such as sports fields. Essentially, the document needs to set the expectations and give specific direction to the future stewards of the property. This plan would need to be adopted by the Town Board post Public Hearing.

### Monitor Property

Annual or as needed physical inspections and reports on all properties will be completed. Ongoing monitoring of a property is imperative in order to protect this community asset. Monitoring will be done to document invasive species, poaching of trees and shrubs, dumping, and encroachments by neighboring land owners. The Town is responsible for protecting Community Character, which includes protecting preserved properties for the benefit and appropriate use by all in the community.

### **Proposed Expenses as they Relate to M&S**

The attached budget page details expenses as they relate to salaries, office expenses, subcontract costs, and other departmental maximum spending limits. Proposed expenditures are governed by Section 13 of the CPF law:

**The cost of employees and independent contractors to implement the provision of this section, may only be paid for by the fund where the duties and responsibilities of said employees and independent contractors are directly dedicated to implementing the provisions of this section. Where such employees and independent contractors are not exclusively dedicated to implementing the provisions of this section, no more than the cost of the actual time expended directly dedicated to implementing the provision of this section may be charged. Such costs shall be expressly identified in the town budget and any plan adopted pursuant to this section before funds for such costs may be expended. In addition, such costs must be documented by a time accounting system, subject to audit.**

<b>Account</b>	<b>Description</b>	<b>2019 Adopted Budget</b>
<b>CA 8801</b>	<b>CPF STEWARDSHIP</b>	
CA 8801 51100	Full Time Salaries	\$127,484
CA 8801 51103	Longevity	\$3,990
CA 8801 51200	Part Time Salaries	\$11,960
CA 8801 51990	Contingency	\$4,000
CA 8801 52300	Vehicles	\$0
CA 8801 52450	Computer Equipment	\$1,000
CA 8801 52600	Other Equipment	\$4,000
CA 8801 54100	Office Expense	\$800
CA 8801 54300	Telephone	\$50
CA 8801 54500	Subcontract Costs	\$425,000
CA 8801 54520	Outside Professional	\$14,000
CA 8801 54560	Motor Vehicle Repairs & Supply	\$600
CA 8801 54562	Fuel - Motor Vehicle	\$900
CA 8801 54600	Uniforms	\$450
CA 8801 54709	MTA Tax Due	\$488
CA 8801 54712	Re-Veg and Kiosk Materials	\$1,500
CA 8801 54731	Signs	\$400
CA 8801 54850	Small Tools & Equipment	\$1,200
CA 8801 54982	Tree Maintenance	\$4,000
CA 8801 59010	NYS Retirement	\$18,848
CA 8801 59030	Social Security & Medicare	\$10,973
CA 8801 59060	Health Insurance	\$48,244
CA 8801 59090	Dental/Optical Benefits	\$3,063
CA 8801	<b>TOTAL- CPF STEWARDSHIP</b>	<b>\$682,949</b>

**Note 1.** As opposed to doing a specific breakdown of each individual property, we have created separate tables for the seven primary categories of properties. Each table is preceded by a brief description of the types of lands in said category, as well as the M&S goals and objectives. Properties are broken down by property groups because lands that are similarly classified generally have similar M&S requirements.

**Note 2.** Although the full stewardship budget is represented above, the seven categories below will help identify any specific projects or expenditures associated with that property group. The “Project or Actions” represented tie specifically to a budgeted expense and associated budget lines. All “Project or Actions” and associated expenses are approved by the Town Board in advance of taking said actions.

**Note 3.** Some of the lands we have acquired are in partnership with New York State, the County of Suffolk, the incorporated Villages, Peconic Land Trust, the Nature Conservancy, or the Federal Government and where applicable there will be a notation in the land tables. While some of these partners may have required the lead agency status for management rights on a particular property, it does not relieve the Town’s, and therefore CPF’s, responsibility to help administer M&S which may include related expenses.



## **Historic Lands and Buildings**

### **Category 1**

We have preserved nine historic properties in an effort to partially retain some of our heritage and historic character. Similar to East Hampton's natural resources, our historic resources are vulnerable to development pressures as well as natural forces, and once lost are irreplaceable. The instruments of protection that can be used in order to preserve these properties, in conjunction with planning and zoning regulations, include but are not limited to gifting, purchase of fee title, and the purchase of a façade easement. We own the fee title of Duck Creek Farm, the Lester/Labrozzi property, Brooks-Park property and the Gardiner property in East Hampton Village. The remaining five are Façade Easements requiring no additional monetary outlay from the Town and include the Wainscott Conklin house & barn, the East Hampton Conklin house, the Stephen Sherrill house, Schellinger Farm and the Thomas Moran house in East Hampton Village. Properties purchased for historic purposes shall be listed on the Federal or State registry, and/or need to be locally designated.

### **Goals and Objectives**

For fee acquisitions, we intend to restore the structures (as per Federal restoration guidelines) as necessary, in conjunction with an historic consultant. We will work with our local Historical Society and other organizations to learn the properties' histories and former uses in an effort to support appropriate future uses. We will seek grants and other private funding sources to accomplish restoration work; however, CPF will likely be the primary funding source for proposed work. Once restored, we may work with the Historical Society to help facilitate use and management of the properties.

### **Eligible Project Parcels**

<b>Name</b>	<b>Physical Address</b>	<b>Tax Map Number</b>	<b>Acreage</b>	<b>Description of Property</b>	<b>Comments</b>
Duck Creek Farm (Lang)	367 Three Mile Harbor Hog Creek Rd. Springs	59-2-17.1	6.69	Historic	Historic property owned in fee title
Labrozzi/Lester (Labrozzi, DiSunno, Barristers Group)	135 N Main St East Hampton	163-6-25, 26 & 31	2.88	Historic	Historic property owned in fee title
Gardiner	36 James Lane East Hampton Village	301-8-9-1.4	3.673	Historic & Agriculture	Historic property owned in fee title
Brooks - Park (Dodson & Lawrence formerly Cochran)	124, 126 & 128 Neck Path Springs	103-8-4, 5 & 6	10.976	Historic	Historic property owned in fee title
Guild Hall Thomas Moran House	29 Main St East Hampton Village	301-8-7-52	.70	Historic	Historic Preservation Easement

Kolasa & Tarquinio (Foster-Stephen Sherrill House)	2 Springs Fireplace Rd East Hampton	163-3-11.1	1.03	Historic	Façade Easement
WVB Partners Conklin House	57 Accabonac Rd East Hampton	187-3-17	.80	Historic	Historic Preservation Easement
Schellinger	145 & 137 Main St Amagansett	171-1-p/o 9 & p/o 3.1	3.135	Historic	Historic and Agricultural Easements
Conklin	200 Sayres Path & 143 Main St Wainscott	200-1-21.7 & 21.8	1.6	Farmland & Historic Easement	Agricultural Easement Historic Easement
<b>Total Historic</b>			<b>31.484</b>	<b>Historic</b>	

**Note:**

There are no current proposed actions or projects for this category of parcels, however, we will still work toward the creation of management plans, ongoing monitoring, installation of signage, maintenance of trails, etc. which are expenses already covered within the budget.

## **Parks and Recreation Properties**

### **Category 2**

These parcels have been acquired for “establishment of parks, nature preserves, or recreation areas” which may include passive and/or active recreational uses. The majority of these parcels fall under the purview of this department’s Land Stewards; however, the parcels designated specifically as “Parks” have their day-to-day maintenance taken care of by our Parks and Buildings & Grounds Departments. Routine maintenance such as mowing lawns, garbage removal or the installation of apparatus, etc. will not be chargeable to the Fund.

### **Goals and Objectives**

There are many different types of park and/or recreational lands, and each have somewhat unique M&S requirements. Specific management plans will be completed as necessary for each of these properties as a guide for future M&S.

### **Eligible Project Parcels**

<b>Name</b>	<b>Physical Address</b>	<b>Tax Map Number</b>	<b>Acreage</b>	<b>Description of Property</b>	<b>Comments</b>
AJayer, ACA & EEA, FLP	81 Ocean Rd.	301-13-10-17	1	Parks & Recreation	Village *Contract
Benson Point Realty	200 Navy Rd Montauk	26-1-1.1	21.85	Parks & Recreation	
Bistrian Land Corp.	114 Fresh Pond Rd Amagansett	150-2-1.2	6.23	Parks & Recreation	
Bistrian Land Corp.	2 Duryea Ave. Montauk	6-3-31.1	3.70	Parks & Recreation	
Boys & Girls Harbor	Springy Banks Rd East Hampton	92-1-11.1; 74-5-30.2	27.81	Parks & Recreation	Town and County Partnership
Brown, Schneider et al	Town Line Rd Wainscott	132-1-8.1	11.12	Parks & Recreation	
Christ Episcopal Church	5 Hampton St. Sag Harbor	p/o 302-2-6-5	.3	Parks & Recreation	*In contract
Dayton	14 & 16 Pleasant Ln & 25 Muchmore Ln East Hampton	301-2-2-27.1, 27.2 & 36	2.78	Parks & Recreation	
Downs Life Estate	958 Fireplace Rd. Springs	63-3-9.2	1.40	Parks & Recreation	
Drohan	147 S. Emerson Ave. Montauk	49-6-17	.187	Parks & Recreation	
Duck Creek Marina	30 Squaw Rd Springs	75-1-28.7	4.70	Parks & Recreation	
Goldart	35 & 25 La Foret La. Amagansett	126-1-14.33 & 14.34	4	Parks & Recreation	*Contract

Kaushik	378 Montauk Hwy. Wainscott	197-1-40.1	1.12	Parks & Recreation	
Latham	17 Shipyard Ln. Springs	80-2-8.4	.68	Parks & Recreation	
The Nature Conservancy- Maloney	888 Fireplace Rd Springs	63-3-24.2	3.24	Parks & Recreation	
Prand Corp.	41 Three Mile Harbor Hog Creek Rd Springs	93-1-7	6.13	Parks & Recreation	
Pratt et al	Town Line Rd Wainscott	132-1-9.1	4.75	Parks & Recreation	
Springs Park (Ireland)	396 Three Mile Harbor Hog Creek Rd. Springs	61-4-4.2	41.99	Parks & Recreation	
Town Lane Park (Soffer Foundation)	173 Town Ln East Hampton	149-2-21.1	5.16	Parks & Recreation	
Trunzo & Buckskill Realty	148 & 138 Buckskill Rd. and 58 & 66 Towhee Trail	193-3-4.1, 5, 184-3-9.1 & 6	25.60	Parks & Recreation	
Wade/Loewen	3 Red Springs Path East Hampton	133-2-9.1	4.11	Parks & Recreation	
West Lake Tennis (Montauk Racquet)	91 S. Fulton Dr Montauk	32-1-8.2	4.70	Parks & Recreation	
<b>Total Parks &amp; Recreation</b>			<b>182.557</b>		

**Note:**

There are no current proposed actions or projects for this category of parcels, however, we will still work toward the creation of management plans, ongoing monitoring, installation of signage, maintenance of trails, etc. which are expenses already covered within the budget.

## **Open Space and Forestlands**

### **Category 3**

Open Space is a broad category that may include, but not be limited to: lands of exceptional scenic value; wildlife refuges with significant biological diversity; unique or threatened ecological areas; aquifer recharge areas; trails; Pine Barrens and forestlands. In addition, Open Space also encompasses East Hampton's woodland areas, which vary greatly in species composition and community structure from one region to the next. There are four woodland subcategories: Pine Barrens, oak/hickory forest, beech forest and white pine forest. East Hampton still retains large sections of its original diverse habitat, and as a result species which have been lost in other areas can still be found here. This makes East Hampton unique on Long Island and contributes greatly to its "sense of place".

### **Goals and Objectives**

Our goal is to preserve these properties' species diversity, scenic vistas and groundwater resources. Because this category represents our largest acreage holdings, with such a wide variety of property and woodland types, there will be a broad range of M&S requirements. These needs may include, where appropriate, removal of invasive species and re-vegetation with native species to enhance and protect the ecology of these properties. Any such work will be undertaken based on an assessment of the seriousness of the ecological threat(s) posed by invasive species (or other threats) in particular locations, and of the feasibility and cost-effectiveness of projects designed to reduce the identified threat(s). As the Town completes the baseline documentation and management plans referenced above, they will be used to prioritize properties with the greatest need of ecological intervention which will be incorporated into a timeline for initiating remediation. In addition, our goals also include reasonable public access through trails and other means consistent with the ecological values of the properties. We must ensure safe and appropriate uses on these properties.

### **Eligible Project Parcels**

<b>Name</b>	<b>Physical Address</b>	<b>Tax Map Number</b>	<b>Acreage</b>	<b>Description of Property</b>	<b>Comments</b>
675 Springs Fireplace Road, LLC (Hazard)	675 Springs Fireplace Rd Springs	80-5-5.1	1.20	Open Space	
11963 Inc.	198 Six Pole Hwy. Wainscott	111-2-3.2	25.78	Open Space	
Abecassis	546 Rte 114 Wainscott	156-1-2	17.92	Open Space	
Abouseda	267 Old Stone Hwy. Springs	83-2-16.2	2.91	Open Space	
Akin	Glenmore Ave & Foxboro Rd Montauk	19-1-7.4; 7.9; 7.7; 7.8	7.05	Open Space	
ARG SPV (IV)	16 Southwood Ct Amagansett	126-1-14.40	2.1	Open Space	

Aronowitz	18 Three Mile Harbor Hog Creek Rd. Springs	119-4-1.1	2.07	Open Space	
Austin	40 & 36 Copeces Ln; 481, 483 & 485 Springs Fireplace Rd Springs	93-4-23.2, 23.3, 23.4, 23.5 & 23.6	8.10	Open Space	
Barnett & Marra	143 Middle Hwy East Hampton	142-1-3.3	3.96	Open Space	
Barnes	108 & 118 Stony Hill Rd Amagansett	125-2-5.3 & 5.4	3.02	Open Space	
Baron	22 Swamp Rd East Hampton	133-2-6.4	2.89	Open Space	
Basso	4 & 6 Hamlin La. Amagansett	150-1-1.10 & 1.11	4.3	Open Space	*in contract
Biscoglio	105 Sycamore Dr. Springs	39-10-5	.465	Open Space	
Black Whale, Inc	90 Gerard Dr, Springs	41-1-3	.56	Open Space	
Brockman	183 Six Pole Hwy. Wainscott	133-1-3	8.70	Open Space	
Brown	202 Woodbine Dr. Springs	96-3-3	.62	Open Space	
Brown	2, 6, 10, 14 Ardsley Rd Wainscott	196-2-36 & 37; 197-1-14.1 & 14.2	3.99	Open Space	
Bucking	221 Swamp Rd East Hampton	90-4-1.3	7.20	Open Space	
Caddis Fly LLC (Gerson)	489 Hands Creek Rd. East Hampton	113-2-3	11.60	Open Space	
Conran	85 Bull Path East Hampton	112-2-8.1	2.89	Open Space	
Curtis	10 Red Spring Path & 84 Swamp Road East Hampton	112-3-4.2. 4.3 & 133-2-11.1	27.87	Open Space	Joint purchase w/County
Curtis	10 Red Spring Path East Hampton	112-3-4.1	4.85	Open Space	
Dalene (ABRI)	54 Fenmarsh Rd Springs	23-3-26	.733	Open Space	
D'Alleva	577 Lazy Point Rd. Amagansett	108-1-4	5.23	Open Space	Contribution from TNC
DeCuevas	12 Fainwood Ct Amagansett	149-3-14	24	Open Space	Conservation Easement



Dodge	1064 Fireplace Rd Springs	39-14-16	8.57	Open Space with Wetlands and Shoreline	Joint purchase w/County
Dowling	291 Three Mile Harbor Rd East Hampton	122-5-19	.244	Open Space	
Dragotta, Joseph	20 Squaw Rd. Springs	75-1-26	.62	Open Space	
Duke	Springy Banks Rd. East Hampton	74-5-30.3	55.88	Open Space	Joint purchase w/County
Dunn, Albert & Gimmon	20 Brisbane Rd Montauk	31-3-3	.672	Open Space	
East Land Development-McQueeney	84 & 86 Crooked Hwy East Hampton	112-1-23 & 24.1	4.19	Open Space	
Emily M. Cobb Trust	243 Old Stone Hwy. Springs	83-2-10	0.99	Open Space	
Epstein	50 Three Mile Harbor Hog Creek Rd Springs	93-4-33.2	1.86	Open Space	
Estate of Bernadette Choplinski	10 Old Montauk Hwy. Wainscott	192-3-21	3.43	Open Space	
Estate of Richard C. Dittmer	48 Northwest Landing Rd East Hampton	90-1-28	1.10	Open Space	
Estate of Jennie Martell	107 S. Forrest St Montauk	28-9-18 & 19	1.16	Open Space with Wetlands	
Estate of Policastro	16 Midland Rd & 28 Upland Rd. Montauk	48-3-11 & 13	8.28	Open Space	
Fallon et al	6 Bowling Green Pl. Springs	95-7-12	0.437	Open Space	
Fitzpatrick	303 Town Line Rd. Wainscott	133-1-42.2	8.03	Open Space	
Filippelli	980 & 976 Springs Fireplace Rd. Springs	39-14-29 & 63-3-2	9.89	Open Space with Wetlands	Joint purchase w/County & The Nature Conservancy
Fireplace Road Corp & Wesley Miller Family Partnership Corp	124, 122, 103 & 101 Sycamore Dr, 124, 118, 84, 72, 68, 31 & 29 Cedar Dr Springs	39-9-38.1, 38.2; 39-10-6, 7, 24.6, 24.7; 39-12-18.2, 18.23, 18.24; 39-15-39, 40	6.49	Open Space	
Flynn	28 Folkstone Rd Springs	57-1-1.4	.88	Open Space	

Foster, Marilee	347 Town Line Rd Wainscott	132-1-14.2	14.07	Open Space	
Foster, Marilee	345 Town Line Rd. Wainscott	132-1-14.1	5.00	Open Space	
Frizzone	31 Upland Rd Montauk	48-3-22.1	7.57	Open Space	
Gabby Lane LLC	Town Line Rd Wainscott	132-1-13.1 thru 13.6 133-1-56 thru 59	71.19	Open Space	
Gerson	191 Six Pole Hwy Wainscott	133-1-2	8.80	Open Space	
Giuffre	748, 750, 752 Rte 114 Wainscott	133-1-15.1, 15.2, 15.3	7.73	Open Space	
GMM LLC (Gerson)	125 Merchants Path Wainscott	155-1-6.1	6.70	Open Space	
Goodman	Springs Fireplace Rd. Springs	80-5-4.13	28.4	Open Space	
Gorgone	3 Soak Hides Rd. East Hampton	122-5-5	.32	Open Space	
Hamilton Family Trust	142 Waterhole Rd. Springs	23-3-15	.81	Open Space	
Hauben-Petrillo	54 West Lake Dr Montauk	28-3-58	.40	Open Space	
Healy & McAdoo	28, 30, 32 & 34 Spinner Lane East Hampton	162-5-27.5, 27.6, 27.7 & 27.8	3.95	Open Space	
Heaney	19 La Foret Ln Amagansett	126-1-14.35	2.65	Open Space	
Hillside Development Corp (Generations Park)	Hillside Drive East Sag Harbor	302-7-2-9.5	9.40	Open Space	Neighborhood Open Space Bond in cooperation w/Village of Sag Harbor
Huddish	500 Wainscott Northwest Rd Wainscott	155-2-11.2	4.46	Open Space	
Ilie LLC	38 & 44 Robins Way Springs	103-6-12.2 & 12.3	3.14	Open Space	*in contract
Israelson	79 Bull Path East Hampton	112-2-7.2	2.06	Open Space	
Jacobs Farm (Sabin)	750 Accabonac Rd. Springs	102-3-17	165.35	Open Space	Joint purchase w/County

Jenney	32 Upland Rd Montauk	48-3-15.2	1.37	Open Space	Joint purchase w/The Nature Conservancy
Jossem & Atrium Square	65 & 69 Red Dirt Rd. Amagansett	126-1-12.4 & 126-1-13	7.58	Open Space	
Kim	161 S. Fairview Ave Montauk	28-6-4.1	.49	Open Space	
Kuhl	79 Waterhole Rd Springs	24-9-18	.435	Open Space	
Lange & Tatosian	352 Springs Fireplace Springs	119-5-2.6	10.81	Open Space	2 small adjoining parcels purchased with General Municipal Bond
Lassaw	School St Springs	80-6-24.4	23.27	Open Space	
Lauria	45 Upland Rd Montauk	48-3-12.1	2.23	Open Space	
Lederer Plaskett	115 Neck Path Springs	103-1-6.1, 6.2 & 6.4	11.76	Open Space	
Lendino	237 S Essex St. Montauk	28-1-24	0.35	Open Space	
Leonard	3 Six Pole Hwy Wainscott	155-1-21.1 & 32	60.32	Open Space	Joint purchase w/County (through The Nature Conservancy)
Leonard/TNC	333 Town Line Wainscott	154-1-1	2.59	Open Space	
Letsios	5 Culloden Pl Montauk	10-7-8	0.476	Open Space	
Li-Lan Gee/Yukico	50 & 48 Copeces Ln. Springs	93-4-22.5 & 22.6	6.59	Open Space	
Lupo	2 Harbor Blvd Springs	38-3-16	.121	Open Space	
Maeder	46 Swamp Rd East Hampton	113-2-7	1.28	Open Space	
Maloney	884 Fireplace Rd Springs	63-3-24.4	2.29	Open Space	\$60,000 grant from TNC (contributions from TNC & private parties)
Maloney (TNC)	888 Springs Fireplace Rd. Springs	63-3-24.2	3.2	Open Space	Acquired from TNC
Manzi	516 Wainscott NW Rd Wainscott	155-2-7	24.52	Open Space	
Mather	2 Hog Creek Rd Springs	37-3-1.1	.52	Open Space	

McCallion & Canary	8 Deer Path Springs	37-3-16	1.10	Open Space	
MFH LLC (Gerson)	199 Six Pole Hwy. Wainscott	133-1-1	9.9	Open Space	
Miller	32 & 30 Three Mile Harbor Hog Creek Hwy Springs	93-1-9 & 10	2.30	Open Space	
Montauk DeForest Assoc.	166 DeForest Rd Montauk	33-3-2.5	1.55	Open Space	
Munt	11 S Federal Rd	28-7-17.1	.95	Open Space	
Napeague Montauk Highway Charitable Remainder Trust	2052 Montauk Hwy Amagansett	130-2-11.2	1.93	Open Space	\$350,000 anonymous donor
Napo	4 Greenway Springs	103-7-18	.31	Open Space	
Neighbors LLC	99 Neck Path Springs	103-1-5	13.05	Open Space	
Nivola	438 Old Stone Hwy. Springs	103-2-4.5	1.90	Open Space	
Nivola	442 Old Stone Hwy. Springs	103-2-4.4	2.0	Open Space	
Nivola	400 Old Stone Hwy. Springs	103-2-4.8	2.0	Open Space	
Nivola	410 Old Stone Hwy. Springs	103-2-4.9	22.60	Open Space	
Otten	Crandall St. Springs	58-9-1 & 7	.46	Open Space	
Peconic Land Trust (from Middlefield Development-Ammon)	Hook Green Village of EH	301-4-3-8	.71	Open Space	Joint purchase w/Village (formerly Mark R. Buick dealership)
Piliero	383 E. Lake Dr. Montauk	7-3-7.1; 7-2-9.20 & 9.21	3.46	Open Space	9.20 & 9.21 underwater lands
Plank Industrial LLC	30 Middle Hwy (Wolf's Hole Rd) Wainscott	181-1-2.1	4.98	Open Space	
Popadick	16 S Goodridge Pl. Montauk	32-2-35	.71	Open Space	*Contract
Potter	824 Springs Fireplace Rd. Springs	63-5-1.2	1.06	Open Space	
Quigley	78 Swamp Rd East Hampton	133-2-8.4, 8.2, 30	6.45	Open Space	
Rattray et al	300, 306 & 312 Cranberry Hole Rd Amagansett	128-1-14, 15 & 18	2.59	Open Space	
Reardon & Tagore	68 Hog Creek Rd	39-11-9.1	3.77	Open Space	

	Springs				
RFG LLC (Gerson)	130 Merchants Path & 281 Town Line Rd Wainscott	155-1-28.1 & 7.1	14.3	Open Space	
Richards	Old Stone Hwy & Neck Path Springs	103-2-26	14.66	Open Space	
Roaman	817 Accabonac Rd. Springs	80-7-26	.44	Open Space	
Roman	20 Quality Row Springs	103-6-13	2.94	Open Space	
Rock Hill Development Corp	269 Fairview Ave. Montauk	19-10-1.4	1.12	Open Space	
Ross School	380 Rte 114 Wainscott	181-1-7	71.089	Open Space	Joint purchase w/County
Ross School	420 & 428 Northwest Rd Wainscott	180-1-4 & 5	19.40	Open Space	
Sanicola	11 Gardiner Cove Rd Springs	120-2-2.2	0.719	Open Space	
SASFOX	36 La Foret Ln Amagansett	126-1-14.27	2.00	Open Space	
SASFOX/Peters	82 Stony Hill Rd Amagansett	126-1-15.3	2.89	Open Space	
SASFOX	42 & 46 La Foret La. Amagansett	126-1-14.28 & 14.29	4.3	Open Space	*in Contract
Savage	489 Old Stone Hwy. Springs	103-7-30	.31	Open Space	
Seandel	Crandall St. Springs	58-9-6,1	.37	Open Space	*in contract
Shebairo	26 S. Ferncroft Pl. Montauk	28-3-50	.39	Open Space	
Sherrill	86 Napeague Harbor Amagansett	110-1-3.1	1.92	Open Space	
Singer	57 Glade Rd Springs	78-3-21	0.464	Open Space	
Sneddon	549 Accabonac Rd. Springs	124-4-3	0.48	Open Space	
Sprague	Six Pole Hwy Wainscott	133-1-47	10.65	Open Space	
Stark	75 Daniels Hole Rd. Wainscott	192-3-22	19.19	Open Space	
Stark	320 Old Montauk Hwy Village of EH	301-6-1-1	3.56	Open Space	

Suffolk County	123 & 128 Merchant's Path Wainscott	155-1-30 & 31	7.1	Open Space	
Termini	122 West Lake Dr. Montauk	19-10-10.2	0.835	Open Space	Purchased for back taxes from County
The Nature Conservancy-Marna	80 Hog Creek Rd. Springs	39-11-10 & 39-11-12	37.06	Open Space	Joint purchase w/County
Verderosa	355 Three Mile Harbor Rd Springs	75-1-21.1	1.00	Open Space	
Virgilio	36 Oyster Shores Rd East Hampton	92-6-25	0.46	Open Space	
Waddell (OMH No. 2, LLC & OMH No.3, LLC)	108 & 110 Old Montauk Hwy Montauk	21-2-24.12 & 24.11	12.05	Open Space	
Wesley D Miller Limited Family Partnership, Wesley D Miller Builder, Fireplace Road Corp	97 & 99 Sycamore Dr, 134 Cedar St, 53, 55 & 57 Hog Creek Rd & 11 Walton St Springs	39-10-8, 9, 24.5, 41.1, 41.2, 41.3 & 58-9-4.1	4.39	Open Space	
Whelan et al.	32 & 36 Mile Hill Rd East Hampton	72-1-4 & 6.1	18.53	Open Space	
Whelan	767 Rte 114 East Hampton	133-2-2.1	5.51	Open Space	Special Bond
Wilder	854 Fireplace Rd Springs	63-3-29.2	2.66	Open Space	
Wilder De Moura	860 Fireplace Rd Springs	63-3-29.4	2.54	Open Space	
Winsant Group (Winsant Hills)	387 Town Line Rd. Wainscott (Part Sag Harbor)	132-1-5.2 & 302-9-2-9	15.34	Open Space	
<b>Total Open Space</b>			<b>1157.38</b>		

### **Proposed Expenditures**

<b>Project or Action for Maloney</b>	<b>Estimated Cost</b>	<b>Budget Line</b>
Sub-Contractors	\$55,000	CA 8801-54500

- Work to be completed: demolition of the existing structures on site, returning the site to a natural state.



## **Wetlands**

### **Category 4**

These types of parcels are fresh and saltwater marshes or other wetlands, including harbors, bays, embayments, dreens, swamps, bogs and creeks. This will include harbor protection overlay districts, watershed lands and the nationally designated Peconic Estuary area. Wetlands are defined as areas that are saturated by groundwater or surface water either some or all of the time and support vegetation types indicative of wet or moist areas. These properties support a great diversity of fish, amphibian, avian and other wildlife. Wetlands protect and improve water quality and are especially sensitive lands.

### **Goals and Objectives**

Due to the lands' fragile nature and ecological importance, we must protect these lands from development, dumping, littering, and inappropriate uses. Rising sea levels also pose a threat to our marshes and proper stewardship may necessitate monitoring these changes, as well as other indicators of marsh health.

### **Eligible Project Parcels**

<b>Name</b>	<b>Physical Address</b>	<b>Tax Map Number</b>	<b>Acreage</b>	<b>Description of Property</b>	<b>Comments</b>
511 Equities Corp assignment from Tuma	43 Fairfield Dr. & Road intersection Montauk	28-5-6 & 53	5.65	Wetlands	
511 Equities Corp assignment from Tuma	26 S. Fay St. Montauk	28-2-9	1.6	Wetlands	
511 Equities Corp assignment from Tuma	26 Fairfield Dr. Montauk	28-2-10.1	1.32	Wetlands	
511 Equities Corp.	151 Old West Lake Drive Montauk	20-6-1	29.25	Wetlands	
511 Equities Corp.	21 Fort Pond Rd Montauk	28-1-34.3	4.30	Wetlands	
511 Equities Corp.	9 Echo Terrace Montauk	28-1-35	1.40	Wetlands	
Antonini	40 Caswell Ave Montauk	31-2-22	.21	Wetlands	
Artinian	N. Surfside Ave. Montauk	29-1-16.2; 16.3; 18.6; 18.7	1.99	Wetlands	
Axelbank & Bragman	12 S. Greenwich St Montauk	32-2-8	.40	Wetlands	
Bistrian	29 Private Rd off Napeague Harbor Rd Amagansett	110-2-12.7	1.94	Wetlands	

Bistrian	43 Private Rd Amagansett	110-2-12.6	.28	Wetlands	
Bistrian	31 Napeague Harbor Rd Amagansett	110-2-11	1.53	Wetlands	
Bistrian Land Corp. & Krupinski	Napeague Harbor Rd Amagansett	110-1-6, 7, 5.1 & 5.2	3.5	Wetlands	
Bitondo	28 S. Federal St. Montauk	28-7-19 & 20	.95	Wetlands	
Buckley	8 & 10 Seaside Ave Montauk	32-7-1; 7-2	.95	Wetlands	
Capurso, et al.	Fresno Pl Montauk	19-2-16.1; 16.2; 16.4; 18.1; 18.3; 18.6; 18.7	4.66	Wetlands	Joint purchase w/County
Capurso, Burke, et al.	Gravesend Ave Montauk	19-2-16.3; 18.2; 18.5; 20.1; 20.2; 61	2.643	Wetlands	Joint purchase w/County
Capurso, Ralph Jr.	6 Frederick Ct Montauk	19-2-18.4	0.495	Wetlands	Joint purchase w/County
Casper	99 Northwest Landing Rd East Hampton	90-3-6	3.272	Wetlands	Neighbor contribution
Cirisano et al	7 & 9 S. Fulton Dr.; 57, 61 & 65 Old West Lake Rd Montauk	32-2-2, 3, 4, 5 & 6	1.818	Wetlands	
Colombi-Carbone	148 Greenwich St Montauk	19-3-39.1	0.349	Wetlands	
Crouchley	273 Springy Banks Rd East Hampton	119-3-1.1	4.038	Wetlands	
Crowley	2053 Montauk Hwy Amagansett	109-2-11	2.01	Wetlands	
D'Agostino	36 S. Greenwich St. Montauk	32-1-1	1.094	Wetlands	
D'Agostino	20 S. Genesee Ct	20-6-03.08	.5	Wetlands	
Dispirito	38 Fairfield Dr. Montauk	28-2-10.03	.9	Wetlands	
Dobris	6 Kings Point Rd	39-1-14	.52	Wetlands	
Dobrowsky	26 S. Fulton Dr. Montauk	32-1-2.13	.485	Wetlands	
Doyle	10 Rehan Ave Montauk	31-1-20	.17	Wetlands	
Eileen K. Leonard Revocable Trust	23 Flagg Ave Montauk	31-1-33	0.017	Wetlands	
Fasano et al	77 Swamp Rd East Hampton	133-2-10	.43	Wetlands	
Feinblatt	459 Old Stone Hwy Springs	103-6-22.3	.64	Wetlands	

Filippelli	980 & 976 Springs Fireplace Rd. Springs	39-14-29 & 63-3-2	9.887	Wetlands	
Fiorentino	67 Gilbert Rd. Montauk	19-7-44.11	.44	Wetlands	
Fireplace Development Corp & Bistrian Land Corp	254 & 250 Three Mile Harbor Rd, 2 Central Ave, 5 & 3 Parsons Ave East Hampton	144-1-3, 4, 5, 23 & 24	3.54	Wetlands	
Florez	50 Sammys Beach Rd East Hampton	56-2-46	0.739	Wetlands	
Foti	117 N. Greenwich St Montauk	12-3-30	0.344	Wetlands	
Freeman	211 Norfolk St & 1133 Springs Fireplace Rd Springs	39-8-3 & 44	1.14	Wetlands	
Geoffroy	32 Twillingate Ave Springs	38-3-15	.381	Wetlands	
Hirschberg	207 Norfolk Dr Springs	39-8-46	.481	Wetlands	
Hubbard, Estate of	20 Gates Ave Montauk	19-7-30.3	.47	Wetlands	
Ian, Donato	16 N. Seaside Ave Montauk	32-4-32	1.47	Wetlands	
Ian, Donato	15 & 17 N. Seaside Ave Montauk	32-4-33 & 34	.94	Wetlands	
Ian, Donato	N. Seaside Ave Montauk	32-4-41	.48	Wetlands	
Ian, Joyce	8 N. Seaside Ave Montauk	32-4-31.5	1.53	Wetlands	
Jacobs	11 Soak Hides Rd East Hampton	122-5-1	.61	Wetlands	
Jewett	28 S Faber St Montauk	28-6-13.4	.48	Wetlands	
Jewett	22 S. Faber St Montauk	28-6-13.3	.45	Wetlands	
Jones	67 S. Forrest St Montauk	28-9-31	1.03	Wetlands	
Kassner	257 Old Stone Hwy Springs	83-2-16.3	2.90	Wetlands	
Koncelik & Casale	Swamp Rd East Hampton	111-1-3.1	3.24	Wetlands	
LaRuffa	20 Gloucester Ave Montauk	19-4-14.1	0.415	Wetlands	
Lipomi	8 Soak Hides Rd East Hampton	120-2-13	.31	Wetlands	
L Lucky LLC (Thayer)	22 Fenmarsh Rd Springs	39-1-5	0.828	Wetlands	
Molloy	50 Fenmarsh Rd Springs	23-3-27	0.742	Wetlands	

Marin	54 Lincoln Rd Montauk	70-4-23	.30	Wetlands	
Martell & Murray	26 S. Fairview Ave Montauk	19-9-29	.40	Wetlands	
McGeehan	30 East Lake Dr. Montauk	20-3-15	.98	Wetlands	
Miles	10 Brisbane Rd Montauk	31-3-2.5	.21	Wetlands	
Milne	90 Fairview Ave Montauk	28-2-25.1, 25.2 & 25.3	1.30	Wetlands	
Edward R Miller Revocable Trust	15 S. Fenmore Ave Montauk	28-3-32 & 33	.99	Wetlands	
Montauk Farrell Corp.	14 Garfield Ave Montauk	19-10-2	3.30	Wetlands	
Montauk Farrell Corp.	262 Greenwich St Montauk	19-10-21	2.40	Wetlands	
Montauk Farrell Corp.	7 Greenwich Pl Montauk	19-9-26	2.10	Wetlands	
Montauk Farrell Corp.	14 Fairview Ave Montauk	19-10-18	1.50	Wetlands	
Montauk Farrell Corp.	233 S. Greenwich Montauk	19-10-3	1.50	Wetlands	
Montauk Farrell Corp.	15 Gerard Pl Montauk	19-10-4.1	1.50	Wetlands	
Montauk Farrell Corp.	14 Gerard Pl Montauk	19-10-8.1	1.20	Wetlands	
Moroney	39 Garfield Ave Montauk	19-7-29.12	.44	Wetlands	
Munkenbeck	3 Hog Creek Rd Springs	39-1-13.1	.45	Wetlands	
Nigro	265 Fairview Ave Montauk	19-7-44.27	0.723	Wetlands	
Norquay	333 West Lake Dr Montauk	12-3-4	.42	Wetlands	
Odierno	319 Fairview Ave Montauk	19-9-22	.47	Wetlands	
Paleologos	36, 18 & 8 Fentwood Rd Montauk	19-2-4.1, 6 & 7	3.624	Wetlands	
Parsons	39 Dominy Ct East Hampton	165-5-8.8	1.09	Wetlands	
Payne	10 S. Genesee Ct. Montauk	20-6-3.5	0.461	Wetlands	Neighbor contributions
Pedersen	15 Furness Rd Montauk	19-6-15.3	0.527	Wetlands	
Potts	24 Second House Rd Montauk	48-3-36	1.15	Wetlands	Joint purchase w/ County

Spiess	76 Northwest Landing Rd East Hampton	90-1-4.3	2.137	Wetlands	
Spitzer	124 Waterhole Rd Springs	23-3-17	0.769	Wetlands	
Starzec	140 Old West Lake Dr Montauk	20-5-4	0.523	Wetlands	
The Nature Conservancy-Weitzman (Barbara Barnes Hale Preserve)	950 Fireplace Rd Springs	63-3-10	16.85	Wetlands	Joint purchase w/County
Troy	155 S. Edgemere St Montauk	27-3-17.2	.64	Wetlands	
Tuma	26 Fairfield Dr Montauk	28-2-11.2	.68	Wetlands	
Ulrich	54 Sammys Beach Rd East Hampton	56-2-48	.47	Wetlands	
Valente	Sammys Beach Rd East Hampton	56-2-42	0.067	Wetlands	
Vermilyea	36 S. Geneva Ct. Montauk	28-3-10	0.523	Wetlands	
Vernazza	6 S. Genesee Ct Montauk	32-1-2.10	.42	Wetlands	
Von Kaas	69 Lincoln Rd Montauk	70-2-28	0.23	Wetlands	
Wang/Wu	568 West Lake Dr Montauk	5-4-13	0.751	Wetlands	
Weller	281 & 285 Old Stone Hwy Springs	83-2-18 & 19.1	4.07	Wetlands	
Wray	240 Three Mile Harbor Rd. East Hampton	144-1-25	0.315	Wetlands	
<b>Total Wetlands</b>			<b>167.638</b>		

**Note:**

There are no current proposed actions or projects for this category of parcels, however, we will still work toward the creation of management plans, ongoing monitoring, installation of signage, maintenance of trails, etc., which are expenses already covered within the budget.

## **Beaches and Shoreline**

### **Category 5**

These lands are a very important component of the Town's natural environment and support a large number of protected plant and animal species. In fact, nine of the sixteen New York State Significant Coastal Fish and Wildlife Habitats designated in East Hampton contain areas consisting of duneland and beach. These outstanding areas are important to many coastal wildlife species, including threatened and endangered species, and provide valuable opportunities for ecological research. The adverse human impacts on natural coastlines throughout Long Island and the entire East Coast greatly intensify the ecological importance of East Hampton's pristine beaches and dunes. Our Beaches and Shoreline category includes dunelands, bluffs, bay front, ocean front and lake front. Access for fishing, swimming, educational opportunities, sunbathing, etc. will be limited as appropriate based upon the sensitivity and or ecology of each parcel, which will be evaluated on a case by case basis.

### **Goals and Objectives**

M&S must consider that the shoreline is a dynamic system subject to sea level rise, storm events, daily tidal changes, and other factors that constantly alter the configuration of beaches, bluffs and dunes. Because of the species diversity and ecologic sensitivity, we must create access points where appropriate, and prohibit access where not appropriate.

### **Eligible Project Parcels**

<b>Name</b>	<b>Physical Address</b>	<b>Tax Map Number</b>	<b>Acreage</b>	<b>Description of Property</b>	<b>Comments</b>
12 SPR, LLC	12 S. Pond Rd East Hampton	119-1-1	.90	Beaches & Shoreline	
96 Meadow Lane (Amsterdam Beach)	1636 Montauk Hwy Montauk	21-2-24.17	122.80	Beaches & Shoreline	Joint purchase w/County & NYS (incl. Federal Grant)
Baker	427 Cranberry Hole Rd Amagansett	128-1-32.2	1.157	Beaches & Shoreline	
Bear & Schub, Shadmoor Assoc.	900 Montauk Hwy Montauk	53-1-6.2	65.93	Beaches & Shoreline	Joint purchase w/NYS County purchased adjacent 32.96 acres
Capocciamo	60 & 66 Shore Dr Amagansett	107-1-23 & 24	.24	Beaches & Shoreline	
Cavett (Amsterdam II)	DeForest Rd Montauk	32-6-1.2	76.9	Beaches & Shoreline	Joint purchase with NYS & County
Dantas	16 Oyster Shores Rd.	118-1-50.1	.92	Beaches & Shoreline	*In Contract



Denice	185 Old Montauk Hwy Amagansett	130-1-15	.44	Beaches & Shoreline	
Engstrom	100 Navy Rd Montauk	27-2-4.1	1.52	Beaches & Shoreline	
Estate of D. King	142 Gerard Dr. Springs	41-1-20	0.599	Beaches & Shoreline	
Four Queens Corp.	30 Navy Rd Montauk	27-2-2.2	4.14	Beaches & Shoreline	
French	Private Rd off Napeague Harbor Rd Amagansett	109-1-13.1	2.07	Beaches & Shoreline	
Granath	53 Napeague Harbor Rd; Amagansett	110-2-10	3.70	Beaches & Shoreline	
Hagerstrom	230 Gerard Dr Springs	42-1-8 & 9	2.70	Beaches & Shoreline	
Helm	15 Babes Ln Springs	59-1-3	2.53	Beaches & Shoreline	
Hirschberg	84 Fenmarsh Rd Springs	23-3-19	.95	Beaches & Shoreline	
Keyes	Squaw Rd & Dayton (Gull) Island Springs	59-1-4 & 61-2-1	5.24	Beaches & Shoreline	
Kold & Bopp	31 Isle of Wight Rd Springs	37-2-4.2	.54	Beaches & shoreline	
Lake	Gerard Drive, Springs	41-2-30	.19	Beaches & Shoreline	
Liss & Ohayon	18 Oyster Shores Rd East Hampton	118-1-48	.68	Beaches & Shoreline	
Lowry	243 Gerard Dr Springs	42-2-14	.5	Beaches & Shoreline	
Mansarovar LLC	20 Oyster Shores Rd East Hampton	118-1-47	.64	Beaches & Shoreline	
Montauk Deforest Assoc.	166 Deforest Rd Montauk	33-3-2.6	3.08	Beaches & Shoreline	The Nature Conservancy & neighbor contributions
Peconic Land Trust (Sokolín & Denison)	216 Gerard Drive Springs	42-1-2	.50	Beaches & Shoreline	Gifted Additional expenses paid out of CPF funds
Saltzman	169 East Lake Dr Montauk	13-3-18 & 9	1.27	Beaches & Shoreline	.70 acres upland .57 acres underwater
Sarmy, LLC	46 Oyster Shores Rd East Hampton	92-6-20	.46	Beaches & Shoreline	
Seaman & Allen	247 Gerard Dr Springs	42-2-16.1	1.11	Beaches & Shoreline	
Shapiro	286 Gerard Drive Springs	64-1-3	1.61	Beaches & Shoreline	
South Flora Land Development	1966 Montauk Hwy Amagansett	130-2-2	37.65	Beaches & Shoreline	

TNC (Olsen)	76 & 78 Squaw Rd Springs	59-2-5.2 & 5.1	1.17	Beaches & Shoreline	
UYM Charities	81 Gerard Dr Springs	41-2-1	.29	Beaches & Shoreline	
Weisz	112 & 136 Deforest Rd. Montauk	32-6-10; 6-11	26.6	Beaches & Shoreline	Joint purchase w/County
<b>Total Beaches or Shoreline</b>			<b>368.114</b>		

**Note:**

There are no current proposed actions or projects for this category of parcels, however, we will still work toward the creation of management plans, ongoing monitoring, installation of signage, maintenance of trails, etc. which are expenses already covered within the budget.

## **Farmland**

### **Category 6**

The Town has protected Farmland through the purchase of development rights, easements, and/or the acquisition of fee title. This site type describes a particular human use of the land as well as a non-renewable resource: our prime agricultural soils. The protection of the Town's farm properties in sufficient number and acreage is vital to the preservation of Community Character and heritage. When acquired, these lands are restricted to an exclusive agricultural use as per the Purchase of Development Rights Deed, to protect and promote the business of farming.

### **Goals and Objectives**

Through diligent monitoring and enforcement of the easements or license agreements we can ensure the protection of the soils which will allow current and future farmers the opportunity to continue this profession on the East End. Where appropriate, we will also protect the vistas offered by these protected lands.

### **Eligible Project Parcels**

<b>Name</b>	<b>Physical Address</b>	<b>Tax Map Number</b>	<b>Acreage</b>	<b>Description of Property</b>	<b>Comments</b>
Babinski	39 Beach Ln Wainscott	200-3-38.5	19.70	Farmland	Joint purchase w/Peconic Land Trust (with contributions from, the Wainscott Farm Land Protection Fund) Development Rights
Basso/Potter	Stony Hill La Amagansett	149-5-8	7.07	Farmland	Purchase in Fee *in contract
Bistran, Krupinski, et al.	Pantigo Rd - Village Line East Hampton	188-1-3	7.90	Farmland	Joint purchase w/Village CPF share Agricultural Easement
Bistran, Krupinski, et al.	131 Pantigo Rd Village of EH	301-4-4-29	3	Farmland	Agricultural Easement
Buckskill Farm LLC.	Green Hollow Rd East Hampton	193-3-11.10	6.82	Farmland	Purchase in Fee
Collins (Briarcroft III)	43 & 44 Briarcroft Rd Springs	64-4-8.11 64-4-8.14	6.90	Farmland	Purchase of Development Rights
Conklin	Wainscott Main Wainscott	200-1-21.7 & 21.8	1.2	Farmland & Historic Easement	Agricultural Easement Historic Easement
Damiecki	176 Long Ln East Hampton	157-3-1.3	29.12	Farmland	Joint purchase w/County Development rights

Dankowski	7 Osborn Farm Lan. & 97 Wainscott Hollow Rd.	197-4-12 & 200-1-9.4	29.8	Farmland	Purchase of Enhanced Easement
Dayton & Geus	112 Dayton Ln Village of EH	301-2-5-2	4.62	Farmland	Development rights Agricultural Easement
Dayton	35 Toilsome Ln Village of EH	301-2-3-8.3	.92	Farmland	Joint purchase w/Village Development rights Agricultural Easement
Deleyer	171 Oakview Hwy East Hampton	159-4-19.1	14.84	Farmland	Development rights Conservation Easement
Foster, Rita	81 S. Fulton Dr. Montauk	32-1-15.1	17.70	Farmland	Development rights
Grossman	Cedar St & Roberts Ln East Hampton	159-1-2.5	7.27	Farmland	Purchase in Fee
Miller	3 Mile Harbor Rd East Hampton	143-1-3.2	14.60	Farmland	Development rights Scenic & Conservation Easement
Miller, Gates, Meyer	889 Fireplace Rd. Springs	63-2-9.1	4.56	Farmland	Purchase of Development Rights
Putnam Amagansett Farm Holdings	551 Montauk Hwy Amagansett	178-3-1.3	18.88	Farmland	Purchase in Fee (formerly 172-2-34.1 & 178-3-1.1)
Schwenk	55 Long Ln East Hampton	185-1-20.1	42.21	Farmland	Joint purchase w/County Development rights
Struk	353, 367, 375 Main St Amagansett	172-1-5.2; 7; 8	9.34	Farmland	Agricultural/Development rights
Weigley	7 Beach Ln Wainscott	200-3-37	4.1	Farmland	Purchase of Development Rights
Whitmore Nurseries, Inc.	80 Rte 114 East Hampton	185-1-14 & 15.1	35.20	Farmland	Purchase of Development Rights
<b>Total Farmland</b>			<b>285.853</b>		

**Note:**

There are no current proposed actions or projects for this category of parcels, however, we will still work toward the creation of management plans, ongoing monitoring, installation of signage, maintenance of trails, etc. which are expenses already covered within the budget.

## **Water Quality**

### **Category 7**

Purchasing private land is one of the most important tools used to protect a watershed and is a key strategy for watershed management. Acquisition of land for water quality improvement allows for additional protections and opportunities to remediate sensitive waterbodies designated in East Hampton. Preservation allows for permanent protection of hydrologically-sensitive lands for both shoreline parcels with short groundwater travel times and direct surface runoff potential or upland areas that serve as groundwater aquifer recharge areas. These sensitive lands serve a number of important water quality functions such as; maintaining or enhancing natural features that filter pollutants before they reach water resources; precluding land uses that would otherwise introduce new pollutants; and shifting development to less sensitive areas. Additional water quality mitigation may also include the purchase of upland parcels in high-density residential neighborhoods for siting aggregated community wastewater treatment.

### **Goals and Objectives**

M&S must consider that the parcel is acquired for the sole purpose of either direct water quality improvement through the removal of known pollution sources or indirectly through the implementation of water quality improvement projects including; wastewater treatment, non-point source pollution abatement, aquatic habitat restoration, or pollution prevention.

Priority areas for projects include:

- Locations with drinking water wells (no public water)
- Sites that are located in the Harbor Protection Overlay District (HPOD)
- Sites near waterbodies listed as Total Maximum Daily Load (TMDL) impaired or the site of restoration efforts
- Sites that have shallow depth to groundwater
- Sites that may be located in flood or storm surge zones
- Sites with porous or impervious soils which limit proper treatment of wastewater
- Areas where groundwater reaches surface water bodies quickly
- High Density Residential Areas

### **Eligible Project Parcels**

<b>Name</b>	<b>Physical Address</b>	<b>Tax Map Number</b>	<b>Acreage</b>	<b>Description of Property</b>	<b>Comments</b>
Chiles	36 Gann Road, Springs	59-1-2	1.1	Water Quality	Purchased for Aquaculture and education center
<b>Total Water Quality</b>			<b>1.1</b>		

### **Note:**

There are no current proposed M&S actions or projects for this category of parcels, however, we will still work toward the creation of management plans, ongoing monitoring, installation of signage, maintenance of trails, etc. which are expenses already covered within the budget.

### **Staffing**

Baseline documentation is up to date; therefore, only new acquisitions will require this service. A primary goal will be to work on several management plans related to specific properties, primarily parks/recreational lands, which enjoy a significant visitor base. This work will be in addition to the oversight and management of all projects in which other departments, sub-contractors or interns/volunteers are involved, including ongoing historic property restorations. In addition, we will monitor all properties for dumping, encroachments, site disturbances, etc. While all properties have varying expenditures related to them, most of the expenditures for M&S are generally staffing expenses. Due to staffing constraints, projects may involve other departments, outside contractors or short-term interns from other organizations or schools. In order to assist in meeting the demands and obtain greater community involvement, we recently extended the “Adopt-a-Preserve” program which is volunteer based. These volunteers will assist our department with monitoring and some appropriate labor for approved projects such as clean-ups, trail maintenance, bird nesting projects, etc.

### **Conclusion**

In an effort to create greater efficiency, transparency and accountability the Peconic Bay Region Community Preservation Fund law has been amended to institute a series of fiscal oversight measures to ensure that this successful program continues to meet its objectives. The responsibility of this Department is to create a document that will guide us in our efforts toward appropriate M&S goals and objectives, assist in prioritizing projects, and control related expenditures. In addition to transparency, the process gives the general public the opportunity to participate in the discussion surrounding proposed expenditures. As outlined above, M&S is not a static process; therefore, this M&S Plan is subject to modification as circumstances change due to storm or weather-related issues, on-site condition changes and the acquisition of additional properties added to our roster of protected lands. Section 6 of the CPF Law allows for modifications of this M&S Plan, subject to public hearing and passage of amending resolutions.

Up to 10% of CPF revenue can be used for M&S purposes. With input from the Town Board, the Department of Land Acquisition and Management, the Town Attorney’s office, the CPF Advisory Board, and the general public, this document will act as a manual to help guide the use of allotted monies for the specified properties and tasks discussed below. For the calendar year 2019, our M&S Plan budget is \$682,949 which represents approximately 2.6% (based upon \$26,000,000) of the expected revenues for 2019.



Schedule A

# RULES AND REGULATIONS FOR CPF ACQUISITION AND STEWARDSHIP

Community Preservation Fund

*The purpose of Rules and Regulations for Acquisition and Stewardship Implementation is to standardize the application of the Community Preservation Fund state statute, Town Law 64-e. The intent is not to create new law but to ensure that the controlling law is applied evenly for all East End Towns primarily through a series of examples demonstrating the proper, as well as the improper, administration of Community Preservation Fund acquisition and stewardship programs.*

## ADOPTED BY THE TOWN BOARD OF THE TOWN OF EAST HAMPTON ON APRIL 7, 2011

**3.(d) The purposes of the fund shall be exclusively, (d) to provide a management and stewardship program for such interests and rights consistent with subdivisions nine and nine-a of this section and in accordance with such plans designed to preserve community character, provided that not more than ten percent of the fund shall be utilized for the management and stewardship program...**

The ten percent of the fund limitation for management and stewardship costs relates to the annual fund revenues. The last full calendar year of known revenue shall be used to determine the maximum amount permitted to be expensed for management and stewardship programs.

Example: In preparation of its 2010 budget in late 2009, a Peconic Bay Region Town would look to the complete CPF revenues received in 2008 to determine 10% of the fund for the 2010 budget and for compliance with this section of the statute.

**3-a. Preliminary and incidental costs in connection with the acquisition of interests or rights in real property, pursuant to subdivision three of this section, shall be deemed part of the cost of the acquisition for which they were incurred. Such expenditures may include any administrative or other expenditures directly arising there-from. No expenditure shall be charged to the fund, unless authorized by law. A full accounting of such costs for each acquisition of land shall be provided to the Town Board.**

Examples of appropriate costs associated with the acquisition of interests or rights in real property include, but are not limited to:

Example: Structural inspections, engineering inspections, environmental inspections, environmental assessments

Example: Survey maps, property flagging, installation of property Monuments

Example: Topographical or other maps

Example: Title searches

Example: Natural resource inventories

Example: Soil sampling

Example: Storage tank testing

Example: Professional services retained exclusively on behalf of the municipality to effectuate the acquisition of the real property

Example: Real estate taxes due and owing from the date of acquisition

**4. Preservation of community character shall involve one or more of the following: (a) establishment of parks, nature preserves or recreational areas; (b) preservation of open space, including agricultural lands; (c) preservation of lands of exceptional scenic value; (d) preservation of fresh and saltwater marshes or other wetlands; (e) preservation of aquifer recharge areas; (f) preservation of undeveloped beachlands or shoreline; (g) establishment of wildlife refuges for the purpose of maintaining native animal species diversity, including the protection of habitat essential to the recovery of rare, threatened or endangered species; (h) preservation of pine barrens consisting of such biota as pitch pine and scrub oak; (i) preservation of unique or threatened ecological areas; (j) preservation of rivers and river areas in a natural, free-flowing condition; (k) preservation of forested land; (l) preservation of public access to lands for public use, including stream rights and waterways; (m) preservation of historic places and properties listed on the New York State register of historic places and/or protected under a municipal historic preservation ordinance or law; and (n) undertaking any of the aforementioned in furtherance of the establishment of a greenbelt.**

The establishment of parks or recreational areas described in (a) above shall include outdoor active or passive recreation, as long as the recreational use is appropriate, permissible and not inconsistent with the purpose for which the property was acquired.

Any physical improvements to the property for active recreation including, but not limited to, an aquatic facility, sports fields, manicured park areas, fitness trails, restrooms and playgrounds, cannot be expensed to the CPF. Such capital projects are appropriate for a Town's general fund, capital bonding program, park district or other funding source.

Section 9(c) addresses allowable expenses to enhance access for passive use of open space.

The preservation of cultural resources, such as community theaters, community centers, art galleries, museums, bowling alleys and movie theaters, is not included as a legitimate "preservation of community character" as defined by this statute.

In order to be eligible for CPF, real property must meet one of the 13 community character criteria set forth above. Land which preserves what could be considered "community character" in general is not sufficient to be eligible for CPF acquisition.

**6. The Town Board of any town in the Peconic Bay region which has established a Community Preservation Fund shall, by local law, adopt a Community Preservation Project Plan. This plan shall list every project which the Town plans to undertake pursuant to the Community Preservation Fund. It shall include every parcel which is necessary to be acquired in the Town in order to protect community character. Such plan shall provide for a detailed evaluation of all available land use alternatives to protect community character, including but not limited to: (a) fee simple acquisition; (b) zoning regulations, including density reductions, cluster development and site plan and design requirements; (c) transfer of development rights; (d) the purchase of development rights; and (e) scenic and conservation easements. Said evaluation shall be as specific as practicable as to each parcel selected for inclusion in the plan. The plan shall establish the priorities for preservation and shall include the preservation of farmland as its highest priority. Funds from the Community Preservation Fund may only be expended for projects which have been included in said plan. Said plan shall be updated not less than once every five years, but in no event until at least three years after the adoption of the original plan. A copy of the plan shall be filed with the Commissioner of Environmental Conservation, the Commissioner of Agriculture and Markets and the Commissioner of the Office of Parks, Recreation and Historic Preservation. Said plan shall be completed at least sixty days before the submission of the mandatory referendum required by Section 1449-bb of the tax law. As part of, or in addition, to said Community Preservation Fund Project Plan, each Town Board may also adopt a Management and Stewardship Plan for interests or rights in real property acquired pursuant to this section. No monies from the fund shall be expended for management and stewardship, except as approved in said plan. Said plan may provide management and stewardship projects for up to a three year period and shall provide a description and estimated cost for each project. Said plan shall be approved and adopted by local law and may be updated from time to time at the discretion of the Town Board. Only**

**management and stewardship projects permitted pursuant to Subdivision 9a of this section shall be eligible to be included in the plan.**

1. A property must be included in the CPF Project Plan in order to be acquired with CPF monies. A property may be added to the Project Plan at any time subsequent to, and only after a public hearing on the matter. The public hearing must contain the rationale for including the parcel in the Project Plan and must identify the particular category of the preservation of community character set forth in Section 4. Amendments to the Project Plan shall be forwarded to those individuals listed in section 6.
2. New land acquisitions must be added to the Management and Stewardship Plan after a public hearing on the matter and before monies from the fund are expended for stewardship and management of the land. This public hearing may be combined with the public hearing to acquire the property. The public hearing on the matter and inclusion in the Management and Stewardship Plan may occur at any time subsequent to acquisition of the land. If it can be determined at the time of inclusion, the source of funding for a stewardship project should be provided at the public hearing

**9. Land acquired pursuant to this section shall be administered and managed in a manner which: (a) allows public use and enjoyment in a manner compatible with the natural, scenic, historic and open space character of such lands; (b) preserves the native biological diversity of such lands; (c) with regard to open spaces, limits improvements to enhancing access for passive use of such lands such as nature trails, boardwalks, bicycle paths, and peripheral parking areas provided that such improvements do not degrade the ecological value of the land or threaten essential wildlife habitat; and (d) preserves cultural property consistent with accepted standards for historic preservation. In furthering the purposes of this section, the Town may enter into agreements with corporations organized under the not-for-profit corporation law and engage in land trust activities to manage lands including less than fee interests acquired pursuant to the provisions of this section, provided that any such agreement shall contain a provision that such corporation shall keep the lands accessible to the public unless such corporation shall demonstrate to the satisfaction of the Town that public accessibility would be detrimental to the lands or any natural resources associated therewith.**

The public use of a CPF parcel must be compatible with the specific purpose for which the land was acquired as set forth in the definitions of "community character" in section 4 herein and in a manner which meets the criteria above. Improvements to open spaces must be to enhance access for passive use.

Example: In reference to 9(c) above, a peripheral parking area does not include an entire parcel acquired with CPF monies to be improved entirely as a parking area unless the entire parcel is a single and separate tax map parcel which is adjacent to a larger tract of CPF land and functions as the peripheral parking area for the abutting preserved land and is considered merged with the larger protected parcel.

In reference to 9(d) above, preserving "cultural property consistent with accepted standards for historic preservation" is intended to include only historic properties and places, specifically, historic archeological properties and places. The preservation of "cultural property," other than historic, is not permitted by the statute.

For purposes of this section, most properties acquired with CPF monies must be available for public access and enjoyment compatible with the property's characteristics. Public access may be denied if it can be demonstrated that public access could harm the property or its natural resources. Public access for lands encumbered with a conservation easement or agricultural development rights deed is not permitted unless specifically stated in the easement or deed.

Example: A wetlands parcel inundated with tidal wetlands is likely not an appropriate site for public pedestrian access.

Public access may also be denied if the Town determines that public access could threaten the health, safety and welfare of the public.

Example: An unsafe building or land condition may be fenced or otherwise have access prohibited to protect public safety.

Example: Access may be controlled by a physical barrier to prevent dumping and littering.

Example: Motorized access may be prevented due to the environmental sensitivity of the land

**9-a. (a) Except for interests or rights in real property acquired for historic preservation purposes, management and stewardship projects shall be only expended for (1) projects which promote the protection or enhancement of the natural, scenic and open space character for which the interests or rights in real property were acquired, or (2) accessory uses related to the purpose for which the interests or rights in real property were acquired consistent with subdivision 9 of this section, or (3) restoration of acquired real property to its natural state, including the demolition of existing buildings and structures.**

- (1) Management costs for CPF properties must relate to the stated statutory purpose of the parcel acquisition.

Example: for a parcel acquired to protect wetlands, CPF monies cannot be expended to clear native vegetation of the property unless the removal is part of a restoration plan.

Example: Historic properties acquired in fee title cannot be used for other government functions or to house other governmental departments or staff other than for Community Preservation Fund purposes.

Example: The cost of creation of an access road and peripheral parking area for a CPF parcel is an appropriate CPF management cost.

Example: The cost to manufacture signs for installation on CPF land is an appropriate cost.

Example: The purchase of fencing and gates is an appropriate cost.

Example: The cost for initial debris removal is an appropriate cost.

Example: Land clearing that facilitates the purposes delineated in Section 9 herein. For example, the clearing of invasive plant species and the re-grading of land in order to re-establish tidal wetlands is an appropriate cost, but the clearing and re-grading of land for the purposes of active recreational improvements, is prohibited.

Example: Costs associated with the removal of invasive plant species is an appropriate cost.

Example: The purchase and installation of native plant and shrubs as part of a restoration plan to establish a natural vegetative buffer adjacent to wetlands is an appropriate cost but the purchase and installation of native plant and shrubs to beautify an improved park area is prohibited.

The term "projects" set forth in 9-a(a)(1) above, shall include equipment (including vehicles and other motorized items), tools, supplies and staff necessary to accomplish the management and stewardship purpose for particular properties.

Any equipment, tools or supplies acquired with the Fund must be used exclusively for CPF stewardship and management.

Except for historic preservation properties, the improvement, repair, reconstruction or adaptive construction of buildings upon the CPF land shall not be expensed to the Fund.

**9-a. (b) In the case of interest or rights in real property acquired for historic preservation purposes, funds may be expended only for the restoration and rehabilitation of buildings and structures consistent with accepted standards for historic preservation.**

The New York State Office of Parks, Recreation and Historic Preservation has determined that projects are evaluated using the Secretary of the Interiors Standards for the Treatment of Historic Properties. These standards in conjunction with the Secretary of Interior's Standards for Rehabilitation (applicable to the federal tax credit program) are the accepted guidelines for historic preservation of CPF properties. (See Appendix)

Example: For a CPF property listed on the National Registry, State Registry or locally designated as historic, permissible CPF stewardship costs include matching funds for a restoration grant, cost of materials and labor, architectural and planning consultants and reports.

Example: Restoration and renovation of historic buildings shall not include the installation or maintenance of historic landscaping plants, hardscaping or the re-creation of the grounds at the time of historic significance.

Permissible CPF stewardship costs do not include costs associated with the modernization or adaptive re-use of historic structures.

Example: The following expenses incurred for an historic structure or property can be expensed to the CPF if they are part of the rehabilitation or restoration of the historic features of the historic property:

Group A(permissible from CPF)

- Roof repair or replacement;
- Repair or replace exterior siding;
- Foundation repair;
- Flooring repair or replacement;
- Plaster/sheetrock repair or replacement;
- Window/doors repair or replacement;
- Framing work, sills, soffits, fascia, corner boards, trim, moldings;
- Historic consultant, architect, engineer costs;
- Repair of driveway and parking area existing at time of acquisition;
- Mandatory ADA-compliant structural modifications

Example: The following expenses incurred for an historic structure or property can be expensed to the CPF at a rate equal to the total preservation cost multiplied by not more than 20%:



Group B (partially permissible from CPF)

- Central air conditioning or heating components
- Chimneys (existing)
- Electrical wiring and lighting fixtures
- Elevators
- Escalators
- Fire escapes
- Plumbing and plumbing fixtures
- Sprinkler systems

Total project costs will be derived from adding Group A and Group B expenses. Total project costs multiplied by no more than 20% is the amount of Group B expenses that may be expensed to CPF. Any amount beyond 20% must be paid from a funding source other than CPF. For example: Total Group A expenses = \$100,000 and Total Group B expenses = \$100,000 for a Total Project Cost = \$200,000.  $20\% \times \$200,000 = \$40,000$ . Therefore \$140,000 may be expensed to CPF and \$60,000 of Group B costs must be expensed to a fund other than CPF.

Example: The following expenses incurred for an historic structure or property cannot be expensed to the CPF:

Group C (not permissible from CPF)

- Appliances
- Cabinets
- Carpeting
- Computer, telephone or cable lines
- Decks (not part of the original building)
- Demolition costs (removal of a building on property site)
- Enlargement costs (increase in total volume)
- Fencing
- Feasibility studies
- Furniture
- Landscaping
- Moving (building) costs
- Outdoor lighting remote from building
- Parking lot
- Patios
- Paving
- Permit fees or architect, engineering costs for adaptive re-use purposes
- Planters
- Porches and Porticos (not part of original building)
- Retaining walls
- Sidewalks



- Signage
- Storm sewer construction costs
- Walkways
- Window treatments

Group C expenses cannot be expensed to CPF and therefore are not considered in calculating the total project cost. Furthermore, Group C expenses cannot be considered when calculating a CPF match for a grant.

Example: An historical property acquired with CPF cannot be used to house unrelated staff or be used for any purpose other than for which it was acquired consistent with Town Law 64-e. Such historical properties may only be used by a historical society or similar organization or CPF staff. The historic property must be open to the public.

**9-a. (c) Expenses related to the customary operation and maintenance of acquired interests or rights in real property shall not be permitted from the fund.**

“Customary operation and maintenance of acquired interests or rights in real property” does not include stewardship projects which protect or enhance the natural, scenic, or open space character for which the real property was acquired or projects which provide or sustain public access to the natural, scenic or open space character of the real property. (see 9-a(a)).

Example: stewardship work in furtherance of a wetlands restoration plan is a permissible expense to the CPF

Example: stewardship work based upon a multi-year invasive species removal and abatement plan is a permissible expense to the CPF

Example: “Customary operation and maintenance” includes but is not limited to routine grass mowing not related to a grassland or meadowland restoration plan, utility costs such as electric, heat, water or cable associated with CPF-acquired property, trash removal or the repair of a non-historic structure on CPF-acquired land

Example: The costs of establishing a walking trail including the installation of a foot bridge, is permissible as well as the costs of upkeep of the walking trail and foot bridge.

Example: The removal of debris from acquired land is a permissible cost. The annual or recurring clean-up of the land is not a permissible expense to the CPF.

Example: In order for a natural resource stewardship project to be permissible, it must have a project purpose and duration which is supported by expert opinion.

Example: The installation and upkeep of an access road and parking area to improve and support access on CPF open space pursuant to Section 9 is a permissible expense to the CPF.

**9-a. (d) Any project funded pursuant to this subdivision must have a useful life of five years or more under section 11.00 of the local finance law.**

Example: The installation of a wood informational kiosk which contains a trail map or other information relative to the open space it is installed upon and which enhances the public's access for passive use thereof, is permissible.

Example: The purchase of a brush cutting mower for the exclusive use of trail work on CPF lands, is permissible provided such equipment has a useful life of at least 5 years.

Example: The construction of a wood walkway which enhances the access to the open space for passive use is permissible.

Example: The construction of a restroom on the open space is not a permitted CPF expense as although it is a public amenity, it does not enhance the actual access to the open space as required by Section 9(c).

Example: The expense of a 4-wheel drive vehicle, truck or other off-road vehicle used exclusively for CPF purposes, is part of a management and stewardship "project" and is a permissible expense as equipment provided it has a useful life of 5 years.

**9-a. (e) Any expenditure from the fund for a purpose other than that permitted herein shall be deemed to be prohibited.**

Only those expenditures for purposes explicitly cited in the statute are permitted expenditures from CPF.

**10. Rights or interests in real property acquired with monies from such fund shall not be sold, leased, exchanged, donated or otherwise disposed of or used for other than the purposes permitted by this section without the express authority of an act of legislature, which shall provide for the substitution of other lands of equal environmental value and fair market value and reasonably equivalent usefulness and location to those to be discontinued, sold or disposed of, and such other requirements as shall be approved by legislature. Nothing in this section shall preclude a town, by local law, from establishing additional restrictions to the alienation of lands acquired pursuant to this section. This subdivision shall not apply to the sale of development rights by a town acquired pursuant to this section, where said sale is made by a central bank created by a town, pursuant to a transfer of development rights program established by a town pursuant to section 261-a of this chapter, provided, however (a) that the lands from which said development rights were acquired shall remain preserved in perpetuity by a permanent conservation easement or other instrument that similarly preserves the community character referenced in subdivision four of this section, and (b) the proceeds from such sale shall be deposited in the community preservation fund.**

This is the “alienation clause” of CPF which substantially disallows the transfer of rights or interests in real property acquired with CPF monies.

Example: A town may not lease a CPF-acquired property to an individual or entity for public or private purposes as a lease alienates certain rights and creates a possessory interest on the part of the Lessee.

Example: A town may enter into a license agreement with a not-for-profit entity whose mission and purpose have a sufficient connection to the purpose for which the property was acquired, to manage or steward a CPF-acquired property or part of a property, provided the use directly relates to the purpose for which the property was acquired and the property is open and accessible to the public. A license agreement does not create a possessory interest in the rights or interests of real property.

Example: A town may enter into a license agreement with a local historical society permitting the society to manage and steward a historic building acquired with CPF monies, provided the property is open and accessible to the public.

Example: A town may not enter into a license agreement with a television station or library or other public or private entity whose use does not directly relate to the statutory purpose for which the property was acquired, to use a CPF parcel or occupy a structure located on a CPF-acquired parcel.

Example: A town may enter into a license agreement with an entity to manage a recreational use on CPF land, provided the recreational use was a stated purpose for which the property was acquired and such use is open and available to the public.

Example: A town may enter into a license agreement with an entity or individual to manage an agricultural use on CPF land, provided the agricultural use was a stated purpose for which the property was acquired.

This section excludes the sale of development rights by the Town acquired pursuant to this section from the alienation restrictions. Development rights acquired without fee title can be placed in a central bank and resold with proceeds to be deposited into the CPF. If a Town wishes to bank development rights it has acquired with the fee title of real property, the Town must set forth the number of development rights to be banked in the resolution authorizing acquisition of the real property.

**13. The cost of employees and independent contractors to implement the provisions of this section may only be paid for by the fund where the duties and responsibilities of said employees and independent contractors are directly dedicated to implementing the provisions of this section. Where such employees and independent contractors are not exclusively dedicated to implementing the provisions of this section, no more than the cost of the actual time expended directly dedicated to implementing the provisions of this section may be charged. Such costs shall be expressly identified in the town budget and any plan adopted pursuant to this section before funds for such costs may be expended. In addition, such costs must be documented by a time accounting system, subject to audit. Costs relating to the activities of elected officials implementing the purposes of this section may not be a charge to the fund.**

Town staff may be paid by the CPF for work performed for CPF. Full time staff hours paid by CPF must be solely dedicated to the CPF program.

Any employee whose work time is not exclusively dedicated to CPF must be identified in the town budget and the Management & Stewardship Plan indicating employee costs chargeable to CPF.

The fringe benefits of Town staff whose annual work time is not exclusively dedicated to CPF, may only be expensed to CPF for that same percentage.

Example: A staff person spends 40% of her time performing CPF work during the calendar year. Up to 40% of her salary and fringe benefits may be expensed to CPF.